



To: Lisa Reed Lloyd, Project Manager
Fax #:
Re:
Date: October 30, 1997
Pages: 6, including this cover sheet.

FACSIMILE

From the desk of...

Janet M. Scott
City Recorder
Park City Municipal Corporation
445 Marsac Avenue, P. O. Box 1480
Park City, Utah 84060

(435) 645-5007
Fax: (435) 645-5212



October 29, 1997

Office of City Manager

Lisa Reed Lloyd, Project Manager
U. S. Environmental Protection Agency, EPA Region VIII (EPR-SR)
999 18th Street, Suite 500
Denver, CO 80202
FAX (303) 312-6897 (cover letter and main report only)

Dear Ms Lloyd:

The enclosed report responds to your request for additional information on the administration of the Prospector Landscaping Ordinance. It includes a status report on our soils program for 1995, 1996 and 1997 and two case profiles from the project area. The case profiles include general descriptions of testing, consultation and oversight. One is for an existing structure and the other is for new construction. The usual procedure for testing is:

1. The subject property is reviewed for any obvious problems.
2. Sites are selected for representative soil samples. Generally 3 to 5 samples are taken from various locations on the lot representing the different conditions such as lawns, flower beds and tree wells.
3. Samples are sent to a certified lab for testing.
4. If soil samples pass, a Certificate of Compliance is issued.
5. If any soil samples fail, we talk with property owner about a mitigation strategy. We generally try to isolate the source of contamination which usually requires some retesting .
6. A mitigation strategy is implemented by the property owner or his agents.
7. The completed work is retested.
8. If soil samples pass, a Certificate of Compliance is issued. If any soil samples fail, steps 5, 6 and 7 are repeated until the mitigation passes.

You should have received our letter requesting support for our plan to mitigate soil issues at the Marsac site and our background information on that site. Please let me know if you need anything else.

Sincerely,

A handwritten signature in black ink, appearing to read "Toby Ross".

Toby Ross, City Manager

CC: Brent H. Everett

Memo

To: Toby Ross
From: Paul Lammers 
Date: October 28, 1997
Re: Prospector Soils Program - Status Report and Case Profiles

You have asked me to prepare a status report for the Prospector Soils Program. You have also requested that I summarize and document a recent remediation case for a typical "as built" single family residence in the Prospector neighborhoods. In addition I have prepared a case profile of how the building department typically regulates new construction in the soils district. It is my understanding that this information will be forwarded to the U.S. Environmental Protection Agency in Denver pursuant to their request.

Status Report

Since the meeting between Park City Municipal Corporation (PCMC) and U.S. EPA in December 1994, PCMC has taken the following actions in implementing the soils program:

- During the construction seasons of 1995, 1996 and 1997, PCMC has hired a seasonal contract-employee to manage and administer the Prospector Soils Program.
- PCMC has provided free soils testing to homeowners in the Special Soils District.
- PCMC has provided free topsoil at a central location in the soils district for homeowners to use to re-landscape and remediate lots which tested high for lead.

- PCMC has conducted **163** soils tests in the soils district as follows:
 - 1995 **30** soils tests
 - 1996 **81** soils tests
 - 1997 **52** soils tests
- PCMC has conducted **115** remediation meetings with homeowners and/or landscapers to develop site-specific remediation plans for lots which tested high for lead, as follows:
 - 1996 **64** remediation meetings
 - 1997 **51** remediation meetings
- PCMC has issued **90** Certificates of Compliance for those lots which are in compliance with the Prospector Landscaping Ordinance, as follows:
 - 1995 **24** soils certificates
 - 1996 **38** soils certificates
 - 1997 **28** soils certificates
- Since April 1996 PCMC has sent **369** individual soils samples to an EPA approved lab for analysis using Test Method SW-846 6010.
- As of the date of this memo approximately **140** residential lots in the Prospector Area remain in noncompliance with the soils ordinance.

Case Profile : 2320 Little Bessie Ave.

Attachment A to this memo contains the contents of the soils program file for 2320 Little Bessie Ave. It documents the following chronology of events:

November 18, 1995	PCMC employee conducts soils test at 2320 Little Bessie Ave.
December 7, 1995	Lab results from soils tests are received by the PCMC Building Department. Lab results indicate that three of the four samples tested high for lead.
December 20, 1995	PCMC Building Department sends copy of lab results and cover letter to the homeowner.

June 6, 1996	After several meetings and conversations with the homeowner, PCMC agrees to have the lot retested by an independent contractor to verify the earlier soils tests. Bingham Environmental retests the lot and submits the results in the report dated July 2, 1996. Results confirm earlier soils test by PCMC.
September 7, 1996	PCMC soils program administrator meets with homeowner to discuss site - specific remediation plan to bring lot into compliance with soils ordinance.
September 10, 1996	PCMC soils program administrator meets with owner and landscape contractor to further discuss the remediation plan.
September 1996	PCMC soils program administrator inspects remediation work on lot and takes pictures of remediation in progress.
October 4, 1996	PCMC soils program administrator conducts a post-remediation inspection and takes a composite soils sample of the remediated areas.
October 18, 1996	Lab results from the post-remediation soils test confirms that the lot is now in compliance with the soils ordinance.
November 8, 1996	PCMC issues Certificate of Compliance for 2320 Little Bessie Ave.

Case Profile : 2291 Ina Avenue / Building Permit B97-2849

Attachment B contains relevant documents from the PCMC Building Department file for Building Permit B97-2849 at 2291 Ina Ave. This file is typical of new single-family residential construction in the Prospector Soils District. This case illustrates the day-to-day regulatory challenges which the building department faces in implementing the soils program during new construction. Attachment B documents the following chronology of events:

June 17, 1997	As part of the application process for a building permit in the Prospector Soils District, the PCMC Building Department requires the contractor to submit a written Construction Mitigation Plan that specifically addresses how the contractor will comply with the Prospector Soils Ordinance
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during construction. The contractor's letter of June 17, 1997 is an example of such a mitigation plan.

- August 5, 1997 While conducting a routine inspection of the foundation at 2291 Ina Ave. the PCMC building inspector observes that dirt piles on the lot are not covered. The building inspector notifies the contractor to cover the piles.
- Sept. 10, 1997 A PCMC building inspector informs the soils program administrator that dirt piles have been removed from the site. The administrator visits the job site and notifies the contractor to contact the building department immediately.
- Sept. 11, 1997 Receiving no response from the contractor, the soils program administrator re-visits the job site the next day and notifies the job foreman that a stop-work order will be issued the following day unless the contractor communicates with the building department regarding the exported dirt.
- Sept. 26, 1997 After several conversations with the contractor and his environmental consultant (Bingham Environmental) the building department receives a written report from Bingham Environmental summarizing the soils tests which had been performed on the dirt piles on August 19, 1997 (before the dirt had been exported.) The report documents that the dirt tested within the regulatory limits of the soils ordinance and was appropriate for export.
- Present Time As of the date of this memo, construction is continuing on this job site. The PCMC Building Department will require a soils test of the landscaped lot at the end of construction before issuing a Certificate of Occupancy for the home.